

REMARKS

Presently, claims 1-12 are pending in the application. Claims 1, 6, and 12 have been amended to more particularly point out that the receptacle or mounting cradle is "separate and completely detachable from the hair dryer." Support for the amendments to claims 1, 6 and 12 may be found, for example, in Figs. 1 and 2 of the application. Dependant claims 2-4 have been amended to be consistent with amended claim 1. Accordingly, no new matter has been added by the foregoing amendments.

Examiner Interview

Applicants and the undersigned thank Examiner Gravini for the courtesies extended during a telephone interview conducted on October 6, 2004, to discuss the present application and Office Action. During the interview, proposed amendments to claims 1, 6 and 12 were discussed. Applicants' reasons as to why such amendments overcome the Examiner's prior art rejections were also discussed. Such reasons are detailed below.

As a result of the interview, the Examiner stated that the proposed amendments and arguments with respect to claims 1, 6 and 12 overcame the prior art rejection(s) or record. The amendments submitted herewith include the amendments discussed with the Examiner during the interview.

Claim Rejections – § 102(b)

The Examiner has rejected claims 1-4, 6-9 and 11-12 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,701,595 to Okutsu *et al.* ("Okutsu"). The Examiner contends that the grip in Okutsu acts as a receptacle which receives the hair dryer therein, and therefore concludes that Okutsu teaches each and every element of the claimed invention. Applicants respectfully traverse this rejection.

Okutsu teaches a hair dryer having a housing 20 and a hand grip 50 slideably connected thereto. When the hand grip 50 is in the open or extended position the user may grip the hand grip 50 to hold the hair dryer while in operation (see Fig. 5 of Okutsu). When the hair dryer is not in use, the hand grip 50 is retractable into a closed position as shown in Fig. 8. Okutsu's hair

dryer includes a switch handle 40 which is slideable within a horizontal gutter 27. As shown in Fig. 5 of Okutsu, the switch handle 40 may only be moved into an ON position to energize the hair dryer when the hand grip 50 is in the open or extended position. Similarly, if the hair dryer is energized (e.g., the switch handle 40 is in an ON position), the hand grip 50 cannot be retracted into the closed position of Fig. 8, since the switch handle 40 would prevent the sliding of the hand grip 50 along the housing 20.

For a rejection under § 102(b) to be proper, a reference must disclose, either explicitly or inherently, each and every element of the claimed invention. Applicants respectfully submit that Okutsu does not teach each and every element recited in independent claim 1, as amended.

Independent claim 1, as amended, recites:

A combination hair dryer and mounting assembly comprising:

a hair dryer having a switch moveable between an OFF position in which the hair dryer is not energized and an ON position in which the hair dryer is energized; and

a mounting cradle configured for receiving the hair dryer therein when the switch is in the OFF position, the mounting cradle preventing insertion of the hair dryer therein when the switch is in the ON position, the mounting cradle being separate and completely detachable from the hair dryer. (emphasis added)

Okutsu does not teach a mounting cradle which is "separate and completely detachable from the hair dryer." That is, if the hand grip 50 in Okutsu is considered to be the receptacle (or mounting cradle) in which the housing 20 is received, the hand grip 50 is still not a receptacle which is "separate and completely detachable" from the hair dryer. Rather, in Okutsu the hand grip 50 is "slideably connected" to the housing 20 (see col. 4, lines 41-42). Furthermore, as shown in Fig. 12 of Okutsu, the housing 20 includes a combination stopper projection 70 and detent projection 72 "which are introduced for preventing the hand grip 50 from slipping away from the housing 20" (see col. 5, lines 49-56). Thus, hand grip 50 is always attached to the housing 20 and is therefore not completely detachable from Okutsu's hair dryer. Accordingly, Okutsu does not disclose each and every element of independent claim 1.

Similarly, independent claims 6 and 12 each recite "a receptacle configured for receiving the hair dryer therein, the receptacle being separate and completely detachable from the hair dryer" For the same reasons as discussed above with respect to independent claim 1, Okutsu does not disclose a hair dryer having receptacle which is "separate and completely detachable from the hair dryer." Accordingly, Okutsu does not disclose each and every element of independent claims 6 and 12.

Dependent claims 2-4, 7-9 and 11 are allowable at least by their dependency on independent claims 1 and 6, respectively. Reconsideration and withdrawal of the Examiner's § 102(b) rejection of claims 1-4, 6-9 and 11-12 are respectfully requested.

Claim Rejections § 103(a)

The Examiner has rejected claims 5 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Okutsu. For the same reasons as discussed above with respect to the Examiner's § 102(b) rejection, Okutsu does not teach or suggest each and every element of independent claims 1 and 6. Accordingly, independent claims 1 and 6 are believed to be allowable over Okutsu. Dependent claims 5 and 10 are therefore allowable at least by their dependency on independent claims 1 and 6, respectively. Reconsideration and withdrawal of the Examiner's § 103(a) rejection of claims 5 and 10 are respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the Examiner's rejections have been overcome, and that the application, including claims 1-12, is in condition for allowance. Reconsideration and withdrawal of the Examiner's rejections and an early Notice of Allowance are respectfully requested.

Respectfully submitted,

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